

FILED

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APR 17 2008
 RICHARD W. WIEKING
 CLERK, U.S. DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 OAKLAND

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5 Attorney for Plaintiff

8 UNITED STATES DISTRICT COURT
 9 NORTHERN DISTRICT OF CALIFORNIA

11 Phyllis D. Evans,
 12 Plaintiff,

13 vs.

14 Michael J. Astrue,
 15 COMMISSIONER OF the SOCIAL
 SECURITY ADMINISTRATION,

16 Defendant.

} 4:07-cv-03794-SBA

} AMENDED/CORRECTED
 MOTION AND PROPOSED
 ORDER FOR EXTENSION OF
 TIME TO FILE PLAINTIFF'S
 REPLY

} (no hearing)

17
 18 MOTION.

19 Plaintiff moves the Court for an extension of time in which to file Plaintiff's
 20 Reply. Pursuant to the scheduling order, the reply was to have been filed, or the
 21 arguments deemed submitted, by April 7, 2008, based on Defendant's Cross
 22 Motion filed on March 19, 2008.¹ That date can not be met due to equipment
 23 malfunction. This is Plaintiff's first extension for this filing. Plaintiff requests a
 24 fourteen-day extension, or to/through April 21, 2008, in which to file the reply.

25
 26 ¹ Fourteen days (per procedural order), plus three service days (FRCivP
 27 Rules 6(e) and 5(b)(2)(D)), and two weekend days after e-filing by
 Defendant.

1 Plaintiff also submits and requests that no hearing is necessary in this
2 motion, as is usual in Social Security litigation (per the procedural order), and also
3 because granting of the motion would have no effect upon Defendant's scheduling
4 or upon any further scheduling.

5 RESPECTFULLY SUBMITTED on this 8th day of April, 2007.
6

7 /s/
8 James Hunt Miller, Attorney for Ms. Evans

9 ORDER (PROPOSED)

10 PURSUANT TO PLAINTIFF'S MOTION, IT IS ORDERED that Plaintiff
11 may have a fourteen-day extension in which to file the reply. *By April 21, 2008.*

12 DATE: 4-17-08


13 United States District Judge
14